



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

JUN 13 2016

REPLY TO THE ATTENTION OF:

**CERTIFIED MAIL 7009 1680 0000 7642 2635**  
**RETURN RECEIPT REQUESTED**

Ms. Sara Leeman  
Environmental Manager  
Essroc Cement Corporation  
3084 West C.R. 225 South  
Logansport, Indiana 46947

Re: Request for Information  
Essroc Cement Corporation  
EPA I.D.: IND 005 081 542

Dear Ms. Leeman:

The U.S. Environmental Protection Agency requests information under Section 3007 of RCRA, as amended, 42 U.S.C. § 6927. Section 3007 of RCRA authorizes the Administrator of EPA to require Essroc Cement Corporation ("Essroc," "you" or "facility") to submit certain information related to compliance with RCRA, 42 U.S.C. § 6901, *et seq.*, and the regulations set forth at 40 CFR §§ 260 through 268, 273, and 279. The EPA is requiring this information to evaluate Essroc's compliance with RCRA at its facility located at 3084 West C.R. 225 South, Logansport, Indiana.

The enclosure specifies the information Essroc must submit. You must submit this information within **THIRTY (30) CALENDAR DAYS** of receiving this request to the EPA, at the following address:

Graciela Scambiatterra  
Compliance Section 1  
RCRA Branch  
Land and Chemicals Division  
77 West Jackson Boulevard, LR-8J  
Chicago, Illinois 60604

The information must be provided notwithstanding its possible characterization as confidential information or trade secrets. Essroc may, under 40 CFR Part 2, Subpart B, assert a business confidentiality claim covering all or part of the information in the manner described in 40 CFR

§ 2.203(b). We will disclose the information covered by a business confidentiality claim only to the extent and by means of the procedures set forth at 40 CFR Part 2, Subpart B. Essroc must make any request for confidentiality when you submit the information, because any information not so identified may be made available to the public without further notice.

Essroc must submit all requested information under an authorized signature certifying that the information is true and complete to the best of the signatory's knowledge and belief. Should the signatory find, at any time after submitting the requested information, that any portion of the submitted information is false, misleading, or incomplete, the signatory must notify us.

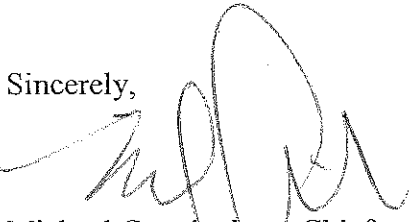
Knowingly providing false information in response to this request may be actionable under 18 U.S.C. §§ 1001 and 1341. We may use the requested information in an administrative, civil, or criminal action.

This request is not subject to the Paperwork Reduction Act, 44 U.S.C. §§ 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

Failure to comply fully with this request for information may subject Essroc to an enforcement action under Section 3008 of RCRA, 42 U.S.C. § 6928.

You should direct questions about this request for information to Graciela Scambiatterra, at (312) 353-5103, of my staff. Communications from your lawyer or questions regarding EPA's legal authority to request information should be directed to Jillian Rountree, Office of Regional Counsel, at (312) 353-3849 or [rountree.jillian@epa.gov](mailto:rountree.jillian@epa.gov).

Sincerely,

A handwritten signature in dark ink, appearing to read 'Michael Cunningham', is written over the word 'Sincerely,'.

Michael Cunningham, Chief  
Compliance Section 1  
RCRA Branch

Enclosures

cc: Nancy Johnston, Indiana Department of Environmental Management  
([njohnsto@idem.in.gov](mailto:njohnsto@idem.in.gov))

## REQUEST FOR INFORMATION

**Instructions:** Essroc must respond separately to each of the questions or requests in this attachment. Precede each answer with the number of the Request to which it corresponds. For each document produced in response to this Request for Information, mark on the document or, in some other reasonable manner, provide the number of the question to which it responds.

If information not known or not available to Essroc as of the date of submission of its response should later become known or available to Essroc, then Essroc must supplement its response to the EPA. Moreover, should Essroc find at any time after submitting its response that any portion of the submitted information is false, misleading, or misrepresents the truth, Essroc must notify the EPA as soon as possible.

All terms used in this request for information shall have their ordinary meaning unless such terms are defined in the RCRA, 42 U.S.C. § 6901 *et seq.* and its implementing regulations.

### Requests:

1. Identify all persons consulted in preparing the answers to this Request for Information and any persons who may provide further information regarding the questions below. For each person identified, provide his or her full name and title, the name of the individual's employer, and his or her business telephone number.
2. Provide any documents relied upon in preparing the answers to this Request for Information.
3. Describe the nature of your Logansport facility's location (e.g., residential, commercial, industrial, mixed, etc.) and the proximity and nature of your nearest neighbors to the north, south, east, and west borders of your facility.
4. Have you ever conducted a clean-up of soil or groundwater in or next to your facility in Logansport, pursuant to a state, local, or federal environmental regulation or law? If so, explain the circumstances and describe the current state of the clean-up.
5. Provide a detailed explanation or explanations of the process or processes Essroc has used for the handling and analysis of samples in the laboratory (lab) located at the Logansport facility and provide a detailed explanation of the on-site lab-generated waste ("lab waste") at the facility from start to finish, including, but not limited to:
  - a. Provide copies of the Standard Operating Procedures (SOPs) for the lab, if any, applicable to the 5 years before the date of this request. State who wrote these procedures and by what entity this person or persons is employed.

- b. Explain the procedures and any changes in procedure you have used for disposing of samples and lab waste during the time period identified in subpart (iii)(1) below (or, if none identified, during the 5 years before the date of this request).

Also explain how you currently dispose of samples and lab waste.

- i. What person or persons have been responsible for storing or disposing of samples and lab waste during the 5 years before the date of this request?  
By what entity are these persons employed?
- ii. Who is or has been responsible for developing the storage and disposal procedures for lab samples and lab waste during the 5 years before the date of this request? By whom are these people employed?
- iii. Identify all sinks into which lab sample waste has ever been disposed.
  1. Provide the dates during which this practice was employed at the on-site lab.
  2. Explain to what these indoor sinks have been connected (include all connections since first use) and by what mechanism (e.g., pipes, pumps, etc.). Provide a diagram showing all connections from the sinks and all tanks, treatment facilities, pumps, or other items or areas connected to those connections.
  3. What is and has been the ultimate destination(s) of the lab waste during the time period identified in subpart 1 above (or, if none identified, during the 5 years before the date of this request)?
  4. Explain any changes to the system described in your answer to subparts 2 and 3 above during the time period identified in subpart 1 above (or, if none identified, during the 5 years before the date of this request). Provide any records of installation, permits, inspections, maintenance, or repairs to this system.
  5. Identify all the sinks in the on-site lab that were connected to the holding tank, which was located just outside the lab building during December 2013.
  6. Has soil or groundwater in or adjacent to any part of the system described in response to subparts 2 and 3, above, been sampled or tested during the time period identified in subpart 1 above? If no time period is so identified, answer based on the 5 years before the date of this request. If sampling or testing has been conducted during the applicable timeframe, provide any relevant data, including raw data; any applicable quality control plan; and the individuals (and their employer) who conducted or were responsible for the sampling or testing.
- iv. For each type of lab waste generated at the on-site lab since the time period identified in subpart (iii)(1) above (or, if none identified, the 5 years before the date of this request):
  1. Explain whether any waste determinations have been conducted for this lab waste. If so, provide the following:
    - a. All raw data related to such waste determinations;

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If information not known or not available to Essroc as of the date of submission of its response should later become known or available to Essroc, then Essroc must supplement its response to the EPA. Moreover, should Essroc find at any time after submitting its response that any portion of the submitted information is false, misleading, or misrepresents the truth, Essroc must notify the EPA as soon as possible.

All terms used in this request for information shall have their ordinary meaning unless such terms are defined in the RCRA, 42 U.S.C. § 6901 *et seq.* and its implementing regulations.

### Requests:

1. Identify all persons consulted in preparing the answers to this Request for Information and any persons who may provide further information regarding the questions below. For each person identified, provide his or her full name and title, the name of the individual's employer, and his or her business telephone number.
2. Provide any documents relied upon in preparing the answers to this Request for Information.
3. Describe the nature of your Logansport facility's location (e.g., residential, commercial, industrial, mixed, etc.) and the proximity and nature of your nearest neighbors to the north, south, east, and west borders of your facility.
4. Have you ever conducted a clean-up of soil or groundwater in or next to your facility in Logansport, pursuant to a state, local, or federal environmental regulation or law? If so, explain the circumstances and describe the current state of the clean-up.
5. Provide a detailed explanation or explanations of the process or processes Essroc has used for the handling and analysis of samples in the laboratory (lab) located at the Logansport facility and provide a detailed explanation of the on-site lab-generated waste ("lab waste") at the facility from start to finish, including, but not limited to:
  - a. Provide copies of the Standard Operating Procedures (SOPs) for the lab, if any, applicable to the 5 years before the date of this request. State who wrote these procedures and by what entity this person or persons is employed.
  - b. Explain the procedures and any changes in procedure you have used for disposing of samples and lab waste during the time period identified in subpart (iii)(1)

below (or, if none identified, during the 5 years before the date of this request). Also explain how you currently dispose of samples and lab waste.

- i. What person or persons have been responsible for storing or disposing of samples and lab waste during the 5 years before the date of this request? By what entity are these persons employed?
- ii. Who is or has been responsible for developing the storage and disposal procedures for lab samples and lab waste during the 5 years before the date of this request? By whom are these people employed?
- iii. Identify all sinks into which lab sample waste has ever been disposed.
  1. Provide the dates during which this practice was employed at the on-site lab.
  2. Explain to what these indoor sinks have been connected (include all connections since first use) and by what mechanism (e.g., pipes, pumps, etc.). Provide a diagram showing all connections from the sinks and all tanks, treatment facilities, pumps, or other items or areas connected to those connections.
  3. What is and has been the ultimate destination(s) of the lab waste during the time period identified in subpart 1 above (or, if none identified, during the 5 years before the date of this request)?
  4. Explain any changes to the system described in your answer to subparts 2 and 3 above during the time period identified in subpart 1 above (or, if none identified, during the 5 years before the date of this request). Provide any records of installation, permits, inspections, maintenance, or repairs to this system.
  5. Identify all the sinks in the on-site lab that were connected to the holding tank, which was located just outside the lab building during December 2013.
  6. Has soil or groundwater in or adjacent to any part of the system described in response to subparts 2 and 3, above, been sampled or tested during the time period identified in subpart 1 above? If no time period is so identified, answer based on the 5 years before the date of this request. If sampling or testing has been conducted during the applicable timeframe, provide any relevant data, including raw data; any applicable quality control plan; and the individuals (and their employer) who conducted or were responsible for the sampling or testing.
- iv. For each type of lab waste generated at the on-site lab since the time period identified in subpart (iii)(1) above (or, if none identified, the 5 years before the date of this request):
  1. Explain whether any waste determinations have been conducted for this lab waste. If so, provide the following:
    - a. All raw data related to such waste determinations;
    - b. The quality assurance plan or other applicable procedures;
    - c. Whether Essroc or a contractor (or both) has conducted the waste determinations for lab waste;

- b. The quality assurance plan or other applicable procedures;
    - c. Whether Essroc or a contractor (or both) has conducted the waste determinations for lab waste;
    - d. The waste codes for each type of waste generated each month (beginning with the first month of the timeframe provided in subpart iv above); and
    - e. For each waste type, provide the volume of waste generated each month (beginning with the first month of the timeframe provided in subpart iv above).
  2. If you do not have the above information, explain what information you do have regarding the type and amount of lab waste generated at the Logansport facility during the time period identified in subpart (b)(iii)(1), above (or, if none identified, the 5 years before the date of this request).
  3. Provide copies of hazardous waste manifests for offsite shipments of lab waste, if any, during the 5 years before the date of this request.
6. Explain the type, number, and size of samples that were analyzed or stored at the on-site lab during the time period identified in Request 5, subpart (b)(iii)(1) (or, if none identified, for the 5 years before the date of this request). Include samples collected for quality control purposes if analyzed or stored at the on-site lab. Include the following information:
- a. Number of samples analyzed or stored at the on-site lab;
  - b. Origin of the sample (e.g., hazardous waste-derived fuel stream stored in tank 1);
  - c. EPA waste code, if applicable, for each of these samples;
  - d. Volume of each sample;
  - e. Fingerprint analysis, if applicable, for each sample; and
  - f. Records for disposal of each sample, the person responsible for such disposal, and the entity who employs that person.
7. Provide a detailed explanation or explanations of the process or processes Essroc undertakes at its facility from which Essroc or its contractors take or analyze samples. Include in your explanation Essroc's current sampling procedures as well as any other procedures used at the Logansport facility during the 5 years before the date of this request. Also include answers to the following:
- a. From what processes, locations, and substances are samples taken at the facility, including during the 5 years before the date of this request?
    - i. If these include hazardous wastes, as defined at 40 CFR § 261.3 and including mixtures subject to hazardous waste rules, explain the process you employed to dispose of the hazardous waste or mixture.
    - ii. Provide a copy and state the author or authors (and the entity or entities by which the author is employed) for any written sample collection and

analysis plan applicable to during the 5 years before the date of this request.

- b. Describe your recordkeeping process regarding when and how sampling is conducted at Essroc. Who has maintained these records during the 5 years before the date of this request? By what entity are those persons employed?
8. Provide a detailed explanation or explanations of the contractual relationship between Essroc and any contractors used to operate the on-site lab at the Logansport facility during the time period identified in Request 5, subpart (b)(iii)(1) (or, if none identified, during the 5 years before the date of this request), including, but not limited to:
  - a. Provide the full names of all persons and/or operators of Essroc's on-site lab.
  - b. Provide copies of Essroc's contractual agreements with any contractors used to operate the on-site lab.
  - c. Provide copies of any audits Essroc has conducted of the on-site lab.
  - d. How has Essroc overseen the lab operations? Provide any documentation regarding the lab operations oversight between Essroc and any third parties, including but not limited to Environmental Laboratory Services.
9. Provide the following information related to the septic system that is or was connected to any lab or lab buildings at the facility during the time period identified in Request 5, subpart (b)(iii)(1) (or, if none identified, during the 5 years before the date of this request), including, but not limited to:
  - a. Provide copies of facility diagrams detailing the septic system, including (i) the septic system location at your facility; (ii) all septic system components, including any tanks, piping, treatment and pretreatment equipment, lifts, and pumps associated with the septic system; and (iii) disposal mechanism(s) or area(s) for the septic system (e.g., soil absorption areas, drainage fields, or dry wells).
  - b. If any of the septic system contents are not or were not disposed of on-site during the time period identified in Request 5, subpart (b)(iii)(1) (or, if none identified, the 5 years before the date of this request), how and where are or were the septic system contents disposed?
  - c. When was the septic system constructed and when did it become operational?
  - d. Did any governmental entity, including the U.S. EPA and any state or local governments, require you to obtain a permit or provide information before installing the septic system? Do you have any other environmental permits associated with the septic system? If so, provide copies or any relevant documentation.
  - e. What is the primary use of the septic system now? If different, what were the primary uses of the septic system between its construction and now?
  - f. Provide copies of any relevant data, including raw data, and any applicable quality control plan for any sampling or testing of the septic system contents conducted during the time period identified in Request 5, subpart (b)(iii)(1) (or, if



none identified, the 5 years before the date of this request). Who has been responsible for and who has conducted this sampling or testing? By what entity is that person or persons employed?

- g. Provide copies of any records of septic system pumping, maintenance, inspections, or repairs during the time period identified in Request 5, subpart (b)(iii)(1) (or, if none identified, from the 5 years before the date of this request).
  - i. Who has been responsible for and who has conducted the pumping, maintenance, inspections, or repairs? By what entity is that person or persons employed?
  - ii. Who has been responsible for the records regarding the above information? By what entity is that person or persons employed?
  - iii. If your septic system has been pumped, who disposed of the contents from the pumping and by what entity is that person employed? How and where were the contents disposed? Provide any sampling data (including raw data) and results, manifests, or other documentation associated with the pumping and disposal.
- h. Has a leak ever been detected from the septic tank? If so, explain the circumstances and provide all relevant records and data.
- i. Has soil or groundwater in or adjacent to any on-site septic system area(s) been sampled or tested during the time period identified in Request 5, subpart (b)(iii)(1) (or, if none identified, the 5 years before the date of this request)? If so, provide any relevant data, including raw data, and any applicable quality control plan, and list the individuals (and their employer) who conducted or were responsible for the sampling or testing.

10. Provide the following information related to the holding tank, located just outside of the lab building as of December 2013, that is or was used to accumulate and/or store waste from the on-site lab at Essroc:

- a. What is the primary function of the holding tank? Has that function changed between its construction and the present? If so, explain.
- b. Provide a description of the holding tank, including:
  - i. Date of construction/installation and first use.
  - ii. Size, capacity, and ancillary equipment. Explain any changes that have occurred during the time period identified in Request 5, subpart (b)(iii)(1) (or, if none identified, the 5 years before the date of this request).
  - iii. Identification of any spill and overflow prevention controls, pumps, compressors, pressure relief devices, sampling connection systems, and valves. Explain any changes in this equipment that have occurred during the time period identified in Request 5, subpart (b)(iii)(1) (or, if none identified, the 5 years before the date of this request).
  - iv. Current contents, if known.
- c. Did any governmental entity, including the U.S. EPA and any state or local governments, require you to obtain a permit or provide information before

installing the holding tank? Do you have any other environmental permits associated with the holding tank? If so, provide copies or any other relevant documentation.

- d. Provide copies of any records of holding tank pumping, maintenance, inspections, or repairs conducted during the time period identified in Request 5, subpart (b)(iii)(1) (or, if none identified, the 5 years before the date of this request). Describe your inspection procedures, if any.
- e. Identify the types of waste that have entered the holding tank during the time period identified in Request 5, subpart (b)(iii)(1) (or, if none identified, since 5 years before the date of this request).
  - i. If you have sampled the contents of the tank, provide any relevant data, including raw data; all records; and any applicable quality control plan or other procedures. List the individuals (and their employer) who have sampled or have been responsible for the sampling conducted on the holding tank.
  - ii. Provide any procedures for waste determinations conducted on tank contents. Provide all data, including raw data, and results relevant to such determinations and, if applicable, the waste codes and quantity for each hazardous waste, as defined at 40 CFR § 261.3, that entered the holding tank during the applicable time period.
  - iii. If you do not have this information, explain what information you do have regarding waste that has entered the holding tank during the time period identified in Request 5, subpart (b)(iii)(1) (or, if none identified, since 5 years before the date of this request).
- f. Identify the number of days the waste accumulated in the holding tank for any period of time since the 5 years before the date of this request. Provide supporting documents including, but not limited to, manifests, inspection logs, and disposal records. Identify any individuals (and their employer) who are responsible for such records.
- g. Describe in detail how the accumulated waste from the holding tank is or was sent to the septic system during the time period identified in Request 5, subpart (b)(iii)(1) (or, if none identified, since 5 years before the date of this request), including, but not limited to:
  - i. Was it a manual or automatic system?
  - ii. If automatic, how often were the discharges to the septic system?
  - iii. If manual, how often were the discharges to the septic system? List the individuals (and their employer) who conducted or were responsible for manually discharging to the septic system. Provide any supporting documentation.
- h. Provide any written tank integrity assessments for the holding tank that were reviewed and certified by an independent, qualified registered professional engineer. Provide date(s) and copies of each assessment.
- i. Has a release ever been detected from the holding tank? If so, explain the circumstances and provide all relevant records and data.

- j. Has soil or groundwater in or adjacent to the holding tank been sampled or tested during the time period identified in Request 5, subpart (b)(iii)(1) (or, if none identified, since 5 years before the date of this request)? If so, provide any relevant data, including raw data, and any applicable quality control plan, and list the individuals (and their employer) who conducted or were responsible for the sampling or testing.

11. Provide the following certification by a responsible corporate officer:

I certify under the penalty of law that I have examined and am familiar with the information submitted in responding to this information request for production of information and documents. Based on my review of all relevant information and documents, and inquiring of those individuals immediately responsible for providing all relevant information and documents, I believe that the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

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Date

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Signature and Title

